

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

BISOUS BISOUS LLC,

*Plaintiffs,*

v.

THE CLE GROUP, LLC,

*Defendant.*

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C.A. No. 3:21-cv-01614-B

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**DEFENDANT’S EVIDENTIARY OBJECTIONS TO PLAINTIFF’S SUBMISSIONS  
WITH ITS MOTION FOR TRO AND PRELIMINARY INJUNCTION**

The Declaration of Andrea Meyer (hereinafter, “Declaration”) was filed on July 19, 2021, (Doc. 13-1), in support of Plaintiff’s motion for TRO and preliminary injunction [hereinafter, “Motion”]. The Declaration contains inadmissible statements by Ms. Meyer or references to other third-party’s out-of-court statements that should not be allowed into evidence under the Federal Rules of Evidence. Any such statements or exhibits that are objected to herein, and are also contained within Plaintiff’s brief in support of its Motion, are similarly objected to, and the Court should disregard them when deciding Plaintiff’s Motion.

1. Defendant objects to Exhibit D of the Declaration as containing hearsay and inadmissible under the Federal Rules of Evidence. *See* FED. R. EVID. 802.

2. Defendant objects to Paragraph 11 of the Declaration as containing hearsay and inadmissible under the Federal Rules of Evidence. *See* FED. R. EVID. 802.

3. Defendant objects to Exhibit E of the Declaration as containing hearsay and inadmissible under the Federal Rules of Evidence. *See* FED. R. EVID. 802.

4. Defendant objects to Paragraph 12 of the Declaration as containing hearsay and inadmissible under the Federal Rules of Evidence. *See* FED. R. EVID. 802.

5. Defendant objects to Exhibit F of the Declaration as containing hearsay and inadmissible under the Federal Rules of Evidence. *See* FED. R. EVID. 802.

6. Defendant objects to Paragraph 13 of the Declaration as containing hearsay and inadmissible under the Federal Rules of Evidence. *See* FED. R. EVID. 802.

7. Defendant objects to Exhibit E of the Declaration as containing hearsay and inadmissible under the Federal Rules of Evidence. *See* FED. R. EVID. 802.

8. Defendant objects to Paragraph 17 of the Declaration as offering an opinion of a lay witness in the form of a legal conclusion and inadmissible under the Federal Rules of Evidence. *See* FED. R. EVID. 701, 704.

9. Defendant objects to Paragraph 20 of the Declaration as offering an opinion of a lay witness in the form of a legal conclusion and inadmissible under the under the Federal Rules of Evidence. *See* FED. R. EVID. 701, 704.

10. Defendant objects to Paragraph 20 of the Declaration as lacking foundation and inadmissible under the Federal Rules of Evidence. *See* FED. R. EVID. 602.

11. Defendant objects to Paragraph 21 of the Declaration as containing hearsay and inadmissible under the Federal Rules of Evidence. *See* FED. R. EVID. 802.

12. Defendant objects to Exhibit L of the Declaration as containing hearsay and inadmissible under the Federal Rules of Evidence. *See* FED. R. EVID. 802.

13. Defendant objects to Paragraph 22 of the Declaration as containing hearsay and inadmissible under the Federal Rules of Evidence. *See* FED. R. EVID. 802.

14. Defendant objects to Exhibit M of the Declaration as containing hearsay and inadmissible under the Federal Rules of Evidence. *See* FED. R. EVID. 802.

15. Defendant objects to Exhibit N of the Declaration as containing hearsay and inadmissible under the Federal Rules of Evidence. *See* FED. R. EVID. 802.

16. Defendant objects to Paragraph 23 of the Declaration as containing hearsay and inadmissible under the Federal Rules of Evidence. *See* FED. R. EVID. 802.

17. Defendant objects to Paragraph 24 of the Declaration as containing hearsay and inadmissible under the Federal Rules of Evidence. *See* FED. R. EVID. 802.

18. Defendant objects to Exhibit O of the Declaration as containing hearsay and inadmissible under the Federal Rules of Evidence. *See* FED. R. EVID. 802.

19. Defendant objects to Paragraph 25 of the Declaration as containing hearsay and inadmissible under the Federal Rules of Evidence. *See* FED. R. EVID. 802.

20. Defendant objects to Paragraph 26 of the Declaration as containing hearsay and inadmissible under the Federal Rules of Evidence. *See* FED. R. EVID. 802.

21. Defendant objects to Paragraph 27 of the Declaration as offering an opinion of a lay witness in the form of a legal conclusion and inadmissible under the Federal Rules of Evidence. *See* FED. R. EVID. 701, 704.

22. Defendant objects to Paragraph 27 of the Declaration as containing hearsay and inadmissible under the Federal Rules of Evidence. *See* FED. R. EVID. 802.

23. Defendant objects to Exhibit P of the Declaration as containing hearsay and inadmissible under the Federal Rules of Evidence. *See* FED. R. EVID. 802.

24. Defendant objects to Exhibit Q of the Declaration as containing hearsay and inadmissible under the Federal Rules of Evidence. *See* FED. R. EVID. 802.

25. Defendant objects to Paragraph 28 of the Declaration as containing hearsay and inadmissible under the Federal Rules of Evidence. *See* FED. R. EVID. 802.

26. Defendant objects to Paragraph 30 of the Declaration as containing hearsay and inadmissible under the Federal Rules of Evidence. *See* FED. R. EVID. 802.

27. Defendant objects to Exhibit R of the Declaration as containing hearsay and inadmissible under the Federal Rules of Evidence. *See* FED. R. EVID. 802.

28. Defendant objects to Paragraph 31 of the Declaration as containing hearsay and inadmissible under the Federal Rules of Evidence. *See* FED. R. EVID. 802.

29. Defendant objects to Exhibit S of the Declaration as containing hearsay and inadmissible under the Federal Rules of Evidence. *See* FED. R. EVID. 802.

30. Defendant objects to Paragraph 33 of the Declaration as lacking foundation, providing speculation, and inadmissible under the Federal Rules of Evidence. *See* FED. R. EVID. 602.

31. Defendant objects to Paragraph 33 of the Declaration as lacking foundation and inadmissible under the Federal Rules of Evidence. *See* FED. R. EVID. 602.

32. Defendant objects to Paragraph 33 of the Declaration as offering an opinion of a lay witness in the form of a legal conclusion and inadmissible under the Federal Rules of Evidence. *See* FED. R. EVID. 701, 704.

33. Defendant objects to Paragraph 36 of the Declaration as lacking foundation, providing speculation, and inadmissible under the Federal Rules of Evidence. *See* FED. R. EVID. 602.

34. Defendant objects to Paragraph 36 of the Declaration as lacking foundation and inadmissible under the Federal Rules of Evidence. *See* FED. R. EVID. 602.

Dated: July 28, 2021

Respectfully submitted,

**BUETHER JOE & COUNSELORS, LLC**

By: /s/ Kenneth P. Kula

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**ATTORNEYS FOR DEFENDANT  
THE CLE GROUP, LLC**

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that all counsel of record who are deemed to have consented to electronic service are being served with a copy of this document via the Court's CM/ECF system per Local Rule CV-5.1(d) on this 28<sup>th</sup> day of July, 2021.

/s/ Kenneth P. Kula

Kenneth P. Kula